

FILE NO.: Z-1481-A

NAME: PB General Barrow Road Short-form PD-C and Alley Abandonment

LOCATION: Located on the West side of John Barrow Road in the 3500 Block
of John Barrow Road

DEVELOPER:

PB General - John Barrow
P.O. Box 22407
Little Rock, AR 72221

SURVEYOR:

Global Surveying Consultants, Inc.
6511 Heilman Court
North Little Rock, AR 72118

AREA: 0.92 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District and R-3, Single-family

ALLOWED USES: Retail and Single-family

PROPOSED ZONING: PD-C

PROPOSED USE: Retail

VARIANCES/WAIVERS REQUESTED: A variance to allow a reduction in the right of
way dedication along Ludwig Street.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The site consists of six (6) lots located in the 3500 Block of John Barrow Road. Lots 4, 5 and 6 are currently zoned C-3, General Commercial District and Lots 7, 8 and 9 are currently zoned R-3, Single-family. The request is a rezoning from the existing C-3, General Commercial District and R-3, Single-family Zoning District to PD-C to allow the redevelopment of the site with a 9,100 square foot general merchandise retail store and 28 parking spaces. The store hours of operation are from 8 am to 9 pm daily.

The request also includes the abandonment of a 10-foot platted alley that runs north and south between Lots 4 – 6 and 7 – 9. There is an existing sewer line located in the alley which will be rerouted to Ludwig Street.

The site plan indicates the mechanical units will be located on the roof of the building and will be screened per typical ordinance standards. The cover letter indicates the dumpster will be screened per typical ordinance standard and the hours of dumpster service will be limited to daylight hours.

The applicant is requesting a variance to allow a reduction in the right of way dedication along Ludwig Street. The development is proposed as a commercial development which would typically require a dedication of right of way to 30-feet from centerline. The developer is proposing a right of way dedication of 25-feet from centerline.

B. EXISTING CONDITIONS:

The property is located just north of the 36th Street/John Barrow Road intersection. There is a single-family home located on the property. North of the site is a single-family home fronting Ludwig Street and further north is a church. Across Ludwig Street are single-family homes. Located at the intersection of 36th and Ludwig Streets is a daycare center. There is commercial building located across John Barrow Road to the southeast which was constructed as an auto parts store. Located on the southeast corner of 36th Street and John Barrow Road is a liquor store.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. John Barrow Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required.
2. Due to the proposed use of the property, the Master Street Plan specifies that Ludwig Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30 feet from centerline.
3. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

4. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
5. Sidewalks with appropriate handicap ramps are required to be installed adjacent to Ludwig Street in accordance with Section 31-175 of the Little Rock Code and the Master Street Plan.
6. All driveways shall be concrete aprons per City Ordinance.
7. Provide a letter prepared by a registered engineer certifying the sight distance at the intersection(s) comply with 2004 AASHTO Green Book standards.
8. Prior to construction of retaining walls, an engineer's certification of design and plans must be submitted to Public Works for approval. After construction, an as-built certification is required for construction of the retaining wall.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main relocation required prior to construction. Contact Little Rock Wastewater Utility for additional information.

Entergy: No comment received.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
3. Contact Central Arkansas Water if additional fire protection or metered water service is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.
5. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
6. Contact Central Arkansas Water if additional fire protection or metered water service is required.

7. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
8. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.
9. The facilities on-site will be private. When meters are planned off private lines. Private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Directly on #14 and #9 bus routes located at the intersection of Barrow and 36th Street.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner: Curtis Richey at 501.371.4724; crichey@littlerock.org or Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Boyle Park Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for a rezoning from R-3 (Single-Family District) and

C-3 (General Commercial District) to PDC (Planned District Commercial) to allow for the development of a retail store on the site. A Design Overlay District has been approved for John Barrow Road by the Planning Commission and is scheduled for a vote before the Board of Directors on May 6, 2014.

Master Street Plan: John Barrow Road is a Minor Arterial on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on John Barrow Road since it is a Minor Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: Class II Bike Lanes are shown along John Barrow Road. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip.
3. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
4. An irrigation system shall be required for developments of one (1) acre or larger. For developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of the plants to be irrigated.
5. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (April 23, 2014)

Mr. Paxton Singleton and Mr. Dan Bartlett were present representing the request. Staff presented an overview of the item stating there were a number of outstanding technical issues in need of addressing prior to the Commission acting on the request. Staff stated the property was located within an area proposed for the John Barrow Overlay District. Staff stated the Overlay had specific development criteria related to signage, fencing and building materials.

Staff questioned the proposed signage both ground and building signage. Staff also questioned if the building materials would contain any corrugated metal.

Public Works comments were addressed. Staff stated a dedication of right of way was required on Ludwig Street to 30-feet from centerline. Mr. Singleton stated the developer was requesting a reduction in the required right of way dedication on Ludwig Street. Staff questioned the location and height of any proposed retaining walls. Staff also requested Mr. Singleton prepare a letter certifying the sight distance of the driveway on John Barrow Road.

Landscaping comments were addressed. Staff stated the minimum landscape strip was 6-feet 9-inches. Staff noted one area of the plan fell below this minimum requirement. Staff also stated screening was required along the northern and western perimeters of the site where abutting single-family zoned or used property. Staff questioned if the building was a three (3) or four (4) sided building. Mr. Bartlett stated the building would be a three (3) sided building. Staff question if the rear of the building would act as screening on Ludwig Street. Mr. Bartlett stated the rear of the building would act as screening along Ludwig Street.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing the concerns raised at the April 23, 2014, Subdivision Committee meeting. The applicant has indicated the proposed development will comply with the typical standards of the proposed John Barrow Overlay District. The applicant has stated there will not be any ribbed or corrugated metal on the façade facing John Barrow Road.

The site consists of six (6) lots which are currently zoned C-3, General Commercial District and R-3, Single-family. The request is a rezoning from the current classifications to PD-C to allow the redevelopment of the site with a 9,100 square foot general merchandise retail store and 28 parking spaces.

The revised site plan indicates the building will be constructed with brick and EIFS or block along the north, east and west facades. The frontage along John Barrow Road may include smooth panel metal. The southern façade of the building (where abutting commercially zoned property) will be constructed with metal siding.

The site plan indicates the placement of building signage along the eastern façade. The signage is proposed as typically allowed in commercial zones or a maximum of ten (10) percent of the total façade area. A single ground sign is proposed along John Barrow Road. The sign is proposed to comply with the typical standards of the DOD or a monument style sign with a maximum height of ten (10) feet.

The site plan indicates the placement of the dumpster facilities along the rear of the property on Ludwig Street. A note on the plan states the dumpster will be screened per typical ordinance standard. The hours of dumpster service are proposed to daylight hours.

The building is proposed containing 9,100 square feet. The site plan indicates the placement of 28 parking spaces. Based on the typical parking required for a retail use a total of 30 parking spaces would typically be required. Staff is supportive of the parking as proposed.

The site plan indicates the mechanical units will be located on the roof of the building and will be screened per typical ordinance standards. A screening fence is located along the northern perimeter where adjacent to residentially zoned property. Along the western perimeter (Ludwig Street) where there is no building fencing will be used. In the area where there is a building façade the building will be used as the required screening.

The applicant has met with the John Barrow Neighborhood Association and has agreed at this location there will not be any alcohol sales.

The request also includes the abandonment of a 10-foot platted alley that runs north and south between Lots 4 – 6 and 7 – 9 Block 169, John Barrow Addition. There is an existing sewer line located in the alley which will be rerouted to Ludwig Street. Wastewater has indicated should the abandonment occur prior to the rerouting of the sewer line a building permit will not be released for construction of the new building until the relocation has been satisfied.

The applicant is requesting a variance to allow a reduction in the right of way dedication along Ludwig Street. The development is proposed as a commercial development which would typically require a dedication of right of way to 30-feet from centerline. The developer is proposing a right of way dedication of 25-feet from centerline. Staff is supportive of the variance request. Ludwig Street is a residential street. Staff feels the 25-foot right of way dedication is adequate to serve the area.

Staff is supportive of the request. The site is indicated on the Future Land Use Plan as Commercial with an OS, Open Space strip along the western perimeter, abutting Ludwig Street. The applicant has designed the site plan to comply with the existing Future Land Use Plan with the exception of a small portion of the paved area extending into the OS area. Staff feels the developers should provide an enhancement in the landscaping within this area. Staff feels in addition to the five (5) trees which would typically be required the applicant provide three (3) additional trees. Staff also recommends in addition to the 16 required shrubs or vines to be placed along Ludwig Street the applicant provide an additional eight (8) shrubs or vines in this area. Otherwise to staff's knowledge there are no remaining outstanding technical issues associated with the request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends there be no alcohol sales from this location.

Staff recommends the applicant provide additional trees and shrubs or vines as indicated in the Analysis Section of this agenda.

Staff recommends approval of the abandonment request for the alley located between Lots 4 – 6 and 7 – 9 Block 169, John Barrow Addition.

Staff recommends approval of the variance request to allow a reduced right of way dedication on Ludwig Street.

PLANNING COMMISSION ACTION:

(MAY 15, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation there be no alcohol sales from this location. Staff presented a recommendation the applicant provide additional trees and shrubs or vines as indicated in the Analysis Section of this agenda. Staff also presented a recommendation of approval of the abandonment request for the alley located between Lots 4 – 6 and 7 – 9 Block 169, John Barrow Addition. Staff presented a recommendation of approval of the variance request to allow a reduced right of way dedication on Ludwig Street.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.